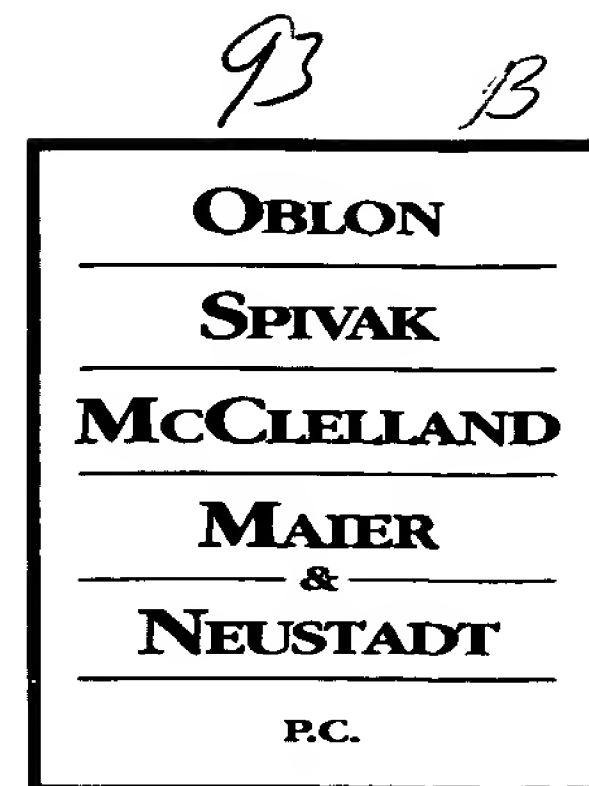




Docket No.: 250603US90X

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 09/345,755
Applicants: Akihiko SUGIURA
Filing Date: July 1, 1999
For: COMMUNICATION BREAKING DEVICE AND
METHOD THEREOF
Group Art Unit: 2631
Examiner: KUMAR, P.

SIR:

Attached hereto for filing are the following papers:

- **Petition for Consideration Under 37 CFR § 1.181(a)(3)**
- **Copy of Date-stamped Filing Receipt dated August 31, 2004**
- **Copy of Information Disclosure Statement filed August 31, 2004**
- **Copy of Form PTO 1449 filed August 31, 2004**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Masayasu Mori

Registration No. 47,301

Customer Number

22850

(703) 413-3000 (phone)

(703) 413-2220 (fax)

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DOCKET NO: 250603US90X

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
AKIHIKO SUGIURA : EXAMINER: KUMAR, P.
SERIAL NO: 09/345,755 :
FILED: JULY 1, 1999 : GROUP ART UNIT: 2631
FOR: COMMUNICATION BREAKING :
DEVICE AND METHOD THEREOF :

PETITION FOR CONSIDERATION UNDER 37 CFR § 1.181 (a)(3)

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

This is a Petition pursuant to 37 CFR §1.181 (a)(3) requesting that the examiner be instructed by the Commissioner or his representative to notify the applicant of the proper consideration of the Information Disclosure Statements (IDS) that was filed on August 31, 2004.

STATEMENT OF FACTS

On August 31, 2004, the applicant filed Information Disclosure Statement under 37 CFR § 1.97. This filing is documented by the attached copy of the associated date-stamped Mail Room receipt, IDS Transmittal and PTO Form 1449. The PTO has not responded to the IDS filing by supplying the applicant with a copy of the PTO Form 1449 properly initialed by the examiner.

Application No. 09/345,755

Petition For Consideration Under 37 CFR § 1.181 (A)(3)

POINT FOR REVIEW

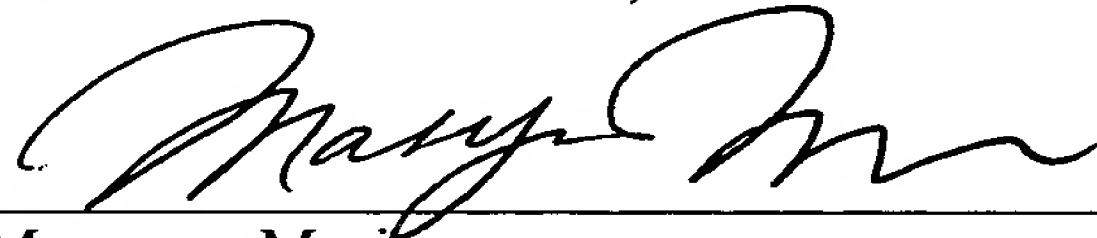
The point for review is why the applicant has not been provided a copy of the above-noted PTO Form 1449 properly initialed by the examiner in correspondence with the rules.

ACTION REQUESTED

In light of the above, it is respectfully requested that the examiner be directed to provide the applicant with a copy of the above-noted PTO Form 1449 properly initialed by the examiner.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Masayasu Mori
Attorney of Record
Registration No. 47,301

Customer Number

22850

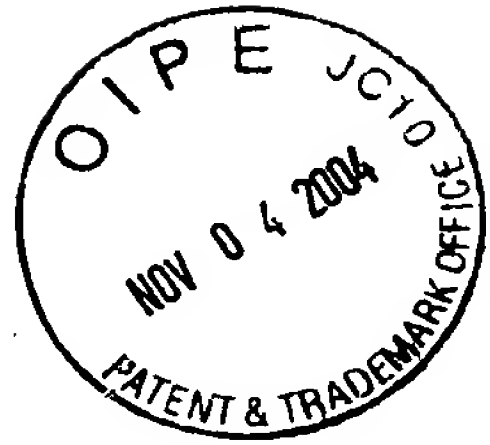
Tel: (703) 413-3000

Fax: (703) 413 -2220

(OSMMN 06/04)

MM:JM

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OSMM&N File No. 250603US90X

Dept.: E/M

By: MM/jmo

✓ Serial No. 09/345,755

In the matter of the Application of: Akihiko SUGIURA

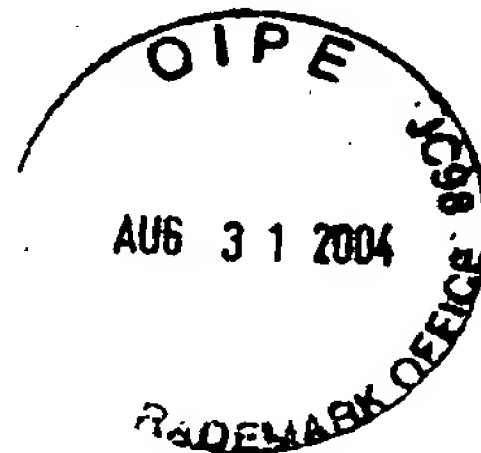
For: COMMUNICATION BREAKING DEVICE AND METHOD THEREOF

Due Date: August 31, 2004

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Dep. Acct. Order Form
- Credit Card Form for \$180.00
- Information Disclosure Statement
- PTO-1449
- Cited References 3
- Search Report European

BEST AVAILABLE COPY



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COPY

Docket No. 250603US90X



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Akihiko SUGIURA

SERIAL NO: 09/345,755

GAU: 2631

FILED: July 1, 1999

EXAMINER: KUMAR, P.

FOR: COMMUNICATION BREAKING DEVICE AND METHOD THEREOF

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the references cited in the attached European Search Report dated July 14, 2004, listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☒ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. In accordance with discussions on August 4, 2004 with Mr. Nicholas P. Godici, Commissioner for Patents, it is no longer required to submit copies of cited pending applications. A modification of the Rules will be published soon in the Official Gazette. Cited issued patents, if any, are listed on the attached PTO form 1449.
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☒ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Masayasu Mori

Registration No. 47,301

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/03)

COPY

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Form PTO 1449
(Modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

LIST OF REFERENCES CITED BY APPLICANT

ATTY DOCKET NO.
250603US90X

SERIAL NO.
09/345,755

APPLICANT
Akihiko SUGIURA

FILING DATE
July 1, 1999

GROUP
2631

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	5,157,688	10/20/1992	R. A. DELL-IMAGINE			
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						

FOREIGN PATENT DOCUMENTS					
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO
	AO	WO 98/56192	12/10/1998	WIPO	
	AP	0 891 110	01/13/1999	EUROPE	
	AQ				
	AR				
	AS				
	AT				
	AU				
	AV				

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

AW

AX

AY

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☐ Additional References sheet(s) attached

Examiner

Date Considered

*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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COPY